IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(*Special Original Jurisdiction*)

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THURSDAY, THE NINETH DAY OF MARCH

TWO THOUSAND AND SIX

P R E S E N T

THE HON'BLE SRI JUSTICE V.ESWARAIAH

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WP.No.4485 OF 2006

Between:

M.Jayamma … Petitioner

Versus

The Revenue Divisional Officer,

Tirupati, Chittoor district & Anr. … Respondents

Counsel for the Petitioner: Sri R.Chandra Reddy

Counsel for the Respondents: Govt. Pleader for Revenue

O R D E R :

The case of the petitioner is that her mother-in-law, Smt.M.Papamma wife of Narsaraju was granted DKT patta no.95/4/85 dated 18-1-1976 for the extents of Ac:0-66 in survey no.196/8 and Ac:0-58 in survey no.196/9 in S.S.Puram village of Nagalapuram Mandal, Chittoor district.

It is stated that ever since the date of granting DKT patta the mother-in-law of the petitioner was cultivating the said land and after the death of her mother-in-law, Smt.M.Papamma, the petitioner has been cultivating the said land.

While things stood thus, the Mandal Revenue Officer, Nagalapuram Mandal, issued a notice in RC.No.B/287/2005 dated 16-5-2005 on the ground that the assigned land vide DKT Patta No.95/4/85 dated 18-1-1976 is in illegal possession of Smt.M.Papamma. It is further stated that the said land is not being cultivated by Smt.M.Papamma and that she has violated the conditions of DKT Patta, and therefore, the impugned notice was issued directing the petitioner to file objections, if any, within seven days, otherwise, as to why appropriate action shall not be taken.

Pursuant to the said notice, the petitioner filed objections on 25-6-2005 stating that after the death of Smt.M.Papamma, the original assignee, who is no other than her mother-in-law,

the petitioner herself is cultivating the said land and that the petitioner has not sold the said land and there is no violation of the terms and conditions of DKT Patta.

Now the grievance of the petitioner is that without considering and disposing of the said objections filed by her, the respondents are threatening to dispossess the petitioner from the said land.

Having regard to the facts and circumstances, without going into the merits of the writ petition, I consider it appropriate to direct the first respondent to consider and dispose of the objections filed by the petitioner and pass appropriate order on merits and in accordance with law, within ten weeks, from the date of receipt of a copy of this order, after affording reasonable opportunity of hearing the petitioner and till such order is passed and communicated to her, the petitioner shall not be dispossessed from the land in question, and till then, the respondents 1 and 2 are directed to maintain ***statusquo*** obtaining as on today, with regard to the possession of the petitioner.

With the above direction, the writ petition is disposed of at the admission stage. No costs.

MARCH 09th, 2006. ----------

I s L. V. ESWARAIAH , J.